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SUBJ/RETALIATION AGAINST MEMBERS OF THE ARMED FORCES REPORTING A CRIMINAL
OFFENSE//

REF/A/DOC/SECTION 1709 OF FISCAL YEAR 2014 NATIONAL DEFENSE AUTHORIZATION
ACT//

AMPN/REF A ESTABLISHES POLICY AND PROCEDURES FOR SUBJECT PROHIBITION.//

RMKS/1. Retaliation against alleged victims or other members of the Armed Forces who report a criminal offense is prohibited. This prohibition constitutes a lawful general order, is punitive, and is applicable to all Department of the Navy (DON) personnel without further implementation. A violation by a person subject to the Uniform Code of Military Justice (UCMJ) (Chapter 47 of Title 10, United States Code) is punishable as a violation of Article 92 of the UCMJ. A violation by civilian personnel may be punishable under regulations governing disciplinary actions.

2. Per Ref (a), at a minimum, retaliation includes taking or threatening to take an adverse personnel action or withholding or threatening to withhold a favorable personnel action, with respect to a member of the Armed Forces because the member reported a criminal offense. Additionally, retaliation includes ostracism and such acts of maltreatment committed by peers of a member of the Armed Forces or by other persons because the member reported a criminal offense.

3. The DON is revising all appropriate instructions to incorporate these changes. In the interim, consult and coordinate with Command Inspectors General on matters involving allegations of suspected retaliation. Additionally, recommend you consult with your Staff Judge Advocate, Office of General Counsel Attorney, Region Legal Service Office, or Legal Services Support Section, as appropriate, with any questions regarding this message.

4. Point of contact at Naval Inspector General is Mr. Richard Gambino, Branch Head, Whistleblower Reprisal, at (202) 433-2097, or via e-mail at richard.gambino@navy.mil.

5. Released by Ray Mabus, Secretary of the Navy.//

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